

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

)	Case No. 03-15299 (PSH)
In re:)	(Jointly Administered)
)	Chapter 11
EAGLE FOOD CENTERS, INC.,)	Hon. Pamela S. Hollis
<u>et al.</u> ,)	Hearing Date: February 22, 2005
)	Hearing Time: 11:00 a.m. (Prevail-
Debtors.)	ing Central Time)

PROPOSED AGENDA FOR FEBRUARY 22, 2005 HEARING

I. Introduction

Set forth below is a proposed agenda for the Hearing scheduled for February 22, 2005, beginning at 11:00 a.m. (Prevailing Central Time) (the "Agenda"). The information contained in the Agenda reflects documents received in our offices as of the date hereof. Counsel for the Reorganized Debtor has served a copy of this Agenda on the Master Service List and those persons who have entered an appearance with respect to any item listed on the Agenda.

The matters set for hearing on February 22, 2005, are divided into the following categories for the purposes of this Agenda:

- I. Introduction
- II. Matters Requested to be Continued or Adjourned
- III. Uncontested, Agreed or Settled Matters
- IV. Contested Matters

II. Matters Requested to be Continued or Adjourned

1. Motion for Payment of Administrative Expenses filed by the United Food and Commercial Workers International Union-Industry Pension Fund (Docket No. 943)

Responses Filed: *None.*

Related Items: *Hearing Continued to May 27, 2004 (Docket No. 1003); Supplement to Motion for Payment of Administrative Expenses (Docket No. 1030); Hearing Continued to June 24, 2004 (Docket No. 1050); Hearing Continued to July 27, 2004 (Docket No. 1093); Hearing Continued to August 24, 2004 (Docket No. 1123); Hearing Continued to September 23, 2004 (Docket No. 1174); Hearing Continued to October 28, 2004 (Docket No. 1190); Hearing Continued to November 30, 2004 (Docket No. 1230); Hearing Continued to December 16, 2004 (Docket No. 1262); Hearing Continued to January 25, 2005 (Docket No. 1300); Hearing Continued to February 22, 2005 (Docket No. 1353).*

Status: *The Reorganized Debtor respectfully requests that this matter be continued to the March 31, 2005 Omnibus Hearing.*

2. Debtors' First Omnibus Objection to Claims under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 (Docket No. 747)

Responses Filed: *Response of Deutsche Bank to First Omnibus Objection to Claims (Docket No. 784); Response of Valley Fair LC to First Omnibus Objection to Claims (Docket No. 786).*

Related Items: *Orders under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 Continuing*

the Debtors' Objection to Certain Claims Set Forth in First Omnibus Objection to Claims (Docket Nos. 799, 915, 1014, 1059, 1104, 1124, 1177, 1191, 1245, 1268, 1297 and 1340).

Status:

The Reorganized Debtor will submit a proposed order requesting that the Omnibus Objection, as it relates to the claim of Deutsche Bank and the related response, be continued to the March 31, 2005 Omnibus Hearing.

3. Reorganized Debtor's Fourth Omnibus Objection to Claims Under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 (Docket No. 1049)

Responses Filed:

Response of Pension Benefit Guaranty Corporation to Reorganized Debtor's Fourth Omnibus Objection to Claims Under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 (Docket No. 1077); Response of Randall Plaza Associates to Fourth Omnibus Objection to Claims (Docket No. 1084).

Related Items:

Order under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 Disallowing, Reducing, Reclassifying, Fixing and/or Bifurcating Certain Claims Set Forth in Fourth Omnibus Objection to Claims (Docket No. 1102); Orders under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 Continuing the Reorganized Debtor's Objection to Certain Claims Set Forth in Fourth Omnibus Objection to Claims (Docket Nos. 1099, 1126, 1183, 1192, 1233, 1265, 1294 and 1349).

Status:

The Reorganized Debtor will submit a proposed order requesting that the Omnibus Objection, as it relates to the claim of Randall Plaza Associates and the related response, be

continued to the March 31, 2005 Omnibus Hearing.

4. Reorganized Debtor's Fifth Omnibus Objection to Claims under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 (Docket No. 1122)

Responses Filed: Annette Haberkorn's Response to the Fifth Omnibus Objection to Claims (Docket No. 1145); Response of Patricia Rhynes to the Reorganized Debtor's Fifth Omnibus Objection to Claims Under 11 U.S.C. Section 102(1), 105(A) and 502(B) and Federal Bankruptcy P3007 (Docket No. 1150); Creditor's, Debra McKinzey's, Objection to Debtor's Fifth Omnibus Objection to Claims (Docket No. 1152); Creditor's, Robert Topping's, Objection to Debtor's Fifth Omnibus Objection to Claims (Docket No. 1153); Creditor's, Thomas Delany's, Objection to Debtor's Fifth Omnibus Objection to Claims (Docket No. 1154); Clean & Brite Floor Corp.'s Response to Fifth Omnibus Objection to Claims (Docket No. 1162); Illinois Freedom Newspapers, Inc.'s Response to Reorganized Debtor's Fifth Omnibus Objection to Claims Under 11 U.S.C. §§ 102(1), 105(A), 502(b) and Fed. R. Bankr. P. 3007 (Docket No. 1164); David Lawhorn's Response to Order Under 11 U.S.C. §§ 102(1), 105(a), and 502(B) and Fed. R. Bankr. P. 3007 Disallowing, Reducing, Reclassifying and/or Fixing Certain Claims Set Forth in Fifth Omnibus Objection to Claims (Docket No. 1165); Charles Frenell's Response to Order Under 11 U.S.C. §§ 102(1), 105(a), and 502(B) and Fed. R. Bankr. P. 3007 Disallowing, Reducing, Reclassifying, and/or Fixing Certain Claims Set Forth in Fifth Omnibus Objection to Claims (Docket No. 1166); Response of Cindy R.

Hutson to Debtor's Objection to Claim (Docket No. 1167); Susan Garmon's Response to Fifth Omnibus Objection of Claim (Docket No. TBD); Mary Lou Phipp's Response to Debtor's Fifth Omnibus Objection to Claim (Docket No. 1171); Response of H.J. Heinz Company, L.P. to Debtors' Fifth Omnibus Objection to Claims Under 11 U.S.C. §§ 102(1), 105(a), 502(b) and Fed. R. Bankr. P. 3007 (Docket No. 1173).

Related Items: *Stipulation and Agreed Order Between Eagle Food Centers, Inc. and Mary Lou Phipps Resolving Reorganized Debtor's Fifth Omnibus Objection to Claims under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. Bankr. P. 3007 (Docket No. 1243); Order under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 Continuing the Reorganized Debtor's Objection to Certain Claims Set Forth in Fifth Omnibus Objection to Claims (Docket No. 1176, 1194, 1237, 1266 and 1295).*

Status: *The Reorganized Debtor will submit a proposed order requesting (i) that the claims of H.J. Heinz Company, L.P. and Cindy R. Hutson be continued to the March 31, 2005 Omnibus Hearing and (ii) that the objection and the related responses of eight claimants be continued indefinitely.*

5. *Reorganized Debtor's Sixth Omnibus Objection to Claims under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 (Docket No. 1197)*

Responses Filed: *Claimant, Linda Pinter, Written Response to Sixth Omnibus Objection to Claims (Docket No. 1203); Response to Objections by Whink Products Company (Docket No. TBD); Response of Creditors United Food and Commer-*

cial Workers Unions and Employers Midwest Health Benefits and Pension Funds to Reorganized Debtor's Sixth Omnibus Objection to Claims Under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 (Docket No. 1207); Joint Response of Creditors United Food and Commercial Workers Union Local 431, United Food and Commercial Workers Union Local 536 and Local 881 United Food and Commercial Workers Union to Reorganized Debtor's Sixth Omnibus Objection to Claims (Docket No. 1208); Response of Sunset Fields Partnership to Reorganized Debtor's Objection to its Claim (No. 1736) in Connection with Sixth Omnibus Objection to Claims (Docket No. 1211); LaSalle Bank National Association, Trustee's, Response to Reorganized Debtor's Sixth Omnibus Objection to Claims (Docket No. 1213); Amcon Distributing Company's Response in Opposition to Reorganized Debtor's Sixth Omnibus Objection to Claims (Docket No. 1214); Response of Modern Woodmen of America to Debtors' Sixth Omnibus Objection to Claims (Docket No. 1216); Wells Fargo Bank's Response to Debtor's Sixth Omnibus Objection to Claims (Docket No. 1218); U.S. Bank's Response to Debtor's Sixth Omnibus Objection to Claims (Docket No. 1219); Response of Gibson Greetings, Division of American Greetings Service Corporation, to Debtor's Sixth Omnibus Objection to Claims (Docket No. 1232); Response of Sidcor Westmont Associates LP to the Reorganized Debtor's Sixth Omnibus Objection to Claims under 11 U.S.C. § § 102(1), 105(A), and 502(B) and Fed. R. Bankr. P. 3007 (Docket No. 1258).

Related Items:

Motion of Sidcor Westmont Associates LP for an Extension of Time to Respond to the Reorganized Debtor's Sixth Omnibus Objection to Claims under 11 U.S.C. §§ 102(1), 105(A), and 502(B) and Fed. R. Bankr. P. 3007 (Docket No. 1222); Order under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 Continuing the Reorganized Debtor's Objection to Claim 1387 Set Forth in Sixth Omnibus Objection to Claims (Docket No. 1234); Order Granting Motion of Sidcor Westmont Associates LP for an Extension of Time to Respond to the Reorganized Debtor's Sixth Omnibus Objection to Claims (Docket No. 1238); Stipulation and Agreed Order Between Eagle Food Centers, Inc., RNG Partnership, N. D. Management Co., Inc. and LaSalle Bank National Association, as Trustee under Trust No. 106768-07, in Furtherance of Reorganized Debtor's Sixth Omnibus Objection to Claims under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. Bankr. P. 3007 (Docket No. 1239); Order under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 Disallowing, Reducing, Reclassifying, And/or Fixing Certain Claims Set Forth in Sixth Omnibus Objection to Claims (Docket No. 1242); Stipulation and Agreed Order Between Eagle Food Centers, Inc. and Illinois Power Company in Furtherance of Reorganized Debtor's Sixth Omnibus Objection to Claims under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. Bankr. P. 3007 (Docket No. 1244); Order Granting Motion of Gibson Greetings for an Extension of Time to Respond to the Reorganized Debtor's Sixth Omnibus Objection to Claims (Docket No. 1250); Order under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 Disallowing the Reorganized Debtor's Objec-

tion to Certain Claims Set Forth in Sixth Omnibus Objection to Claims (Docket No. 1267); Orders under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 Continuing the Reorganized Debtor's Objection to Certain Claims Set Forth in Sixth Omnibus Objection to Claims (Docket Nos. 1236, 1263, 1293 and 1348).

Status: The Reorganized Debtor will submit a proposed order for the Court's consideration requesting that the objection and related responses (i) be continued to the March 31, 2005 Omnibus Hearing for three claims and (ii) indefinitely for the remaining four claims.

6. Reorganized Debtor's Seventh Omnibus Objection to Claims under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 (Docket No. 1256)

Responses Filed: Response of Randall Plaza Associates, Landlord of Eagle Store 322, Located in Aurora, Illinois to 7th Objection to Claims (Docket No. 1272); Valley Fair LC's Response to Debtors' Seventh Omnibus Objection to Claims and Request for Sanctions Pursuant to Rule 9011 of the Federal Rules of Bankruptcy Procedure (Docket No. 1278); Response of McCormick & Company, Inc. to Reorganized Debtor's Seventh Omnibus Objection to Claims under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 (Exhibit E - Claim No. 1170) (Docket No. 1280); Deutsche Bank Trust Company New York's Response to Debtors' Seventh Omnibus Objection to Claims (Docket No. 1281); Bradley Operating Limited Partnership's Objection to Debtor's Seventh Objection to Claims under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 (Docket

No. TBD); Debtors' Reply to Valley Fair LC's Response to Debtors' Seventh Omnibus Objection to Claims and Request for Sanctions Pursuant to Rule 9011 of the Federal Rules of Bankruptcy Procedure (Docket No. 1286); Reorganized Debtor's Reply to Deutsche Bank Trust Company New York's Response to Debtors' Seventh Omnibus Objection to Claims, Anticipated (Docket No. TBD).

Related Items:

Order under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 Disallowing, Reducing, Reclassifying, And/Or Fixing Certain Claims Set Forth in Seventh Omnibus Objection to Claims (Docket No. 1291); Orders under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 Continuing the Reorganized Debtor's Objection to Certain Claims Set Forth in Seventh Omnibus Objection to Claims (Docket No. 1290 and 1342).

Status:

The Reorganized Debtor will submit two orders for the Court's consideration: (1) a proposed stipulation and agreed order resolving the claim of Bradley Operating Limited Partnership and (2) a proposed order requesting that the objection and related responses be continued to the March 31, 2005 Omnibus Hearing for four claims.

III. Uncontested, Agreed or Settled Matters

7. Reorganized Debtor's Ninth Omnibus Objection to Claims under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 (Docket No. 1317)

Responses Filed:

Response to Debtors' Ninth Omnibus Objection to Claims filed by CNA Insurance Companies (Docket No. 1329); Response of Laurie Rivera

to the Reorganized Debtor's Ninth Omnibus Objection to Claims (Docket No. 1337); Response of Stewart Beverage Corporation to the Reorganized Debtor's Ninth Omnibus Objection to Claims (Docket No. 1363); Response of ET Video, an Iowa Corporation to the Reorganized Debtor's Ninth Omnibus Objection to Claims (Docket No. 1377); Response to the Ninth Omnibus Objection to Claim 161 of Dear Foods Company (Docket No. TBD).

Related Items: None.

Status: The Reorganized Debtor will submit three orders for the Court's consideration: (1) a proposed stipulation and agreed order resolving the claim of Kozy Shack Enterprises, Inc., (2) a proposed order requesting that the objection and related responses (a) be continued to the March 31, 2005 Omnibus Hearing for certain claims and (b) indefinitely for certain claims and (3) a proposed order entering the relief requested in the objection.

8. Motion of LaSalle Bank National Association, Trustee, to Direct the Reorganized Debtors to Make Distributions on Claim No. 1719 to LaSalle's Designee (Docket No. 1371)

Responses Filed: None.

Related Items: None.

Status: A proposed order will be submitted for the Court's consideration.

9. U.S. Bank's Motion for Relief from Section 9.7 of Debtor's Plan (Docket No. 1373)

Responses Filed: None.

Related Items: *None.*

Status: *A proposed order will be submitted for the Court's consideration.*

10. Wells Fargo's Motion for Relief from Section 9.7 of Debtor's Plan (Docket No. 1374)

Responses Filed: *None.*

Related Items: *None.*

Status: *A proposed order will be submitted for the Court's consideration.*

IV. Contested Matters

None

Dated: Chicago, Illinois
February 17, 2005

Respectfully Submitted,

By: 

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